

## CHAPTER 209.

## RELATIVE TO EXCEPTIONS.

AN ACT to Repeal Section 2831 of the Code of 1873, and Enact a Substitute Therefor. S. F. 86.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 2831 of the Code of 1873 is hereby repealed, and the following enacted in lieu thereof: Code, § 2831: substitute enacted.

SEC. 2831. An exception is an objection taken to a decision of the court, or party acting as the court, on matter of law. "The party objecting to the decision must do so at the time the same is made (but if decision is on motion, demurrer, or judgment, exception may be taken within three days), and embody his objection in a bill of exceptions to be filed during the term, or within such time thereafter as the court may fix: but in no event shall the time extend more than thirty days beyond the expiration of the term, except by consent of parties or by order of the judge. But in an equitable action tried as such, no bill of exceptions shall be required." § 2831, what and when taken. May be taken in three days, when. When filed. In equitable actions.

Approved, March 30, 1880.

## CHAPTER 210.

## TO REGULATE FIRE INSURANCE.

AN ACT to Secure Policy-Holders in Fire Insurance Companies From Unjust Forfeitures of Policies. Sub. H. F. 157.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That in every instance where a fire insurance company or association, doing business in this state, shall hereafter take a note or contract for the premium on any insurance policy, or shall hereafter take a premium note or contract which, by its terms, or by any agreement or rule of the company or association, is assessable for the premium due on the policy for which it was given, such insurance company or association shall not declare such policy forfeited, or suspended for non-payment of such note or contract except as hereinafter provided, anything in the policy or application to the contrary notwithstanding. Policy not declared void except as provided in this act.

Give thirty days' notice when any premium note falls due.

SEC. 2. Within thirty days prior to, or at any time after the maturity of any note or contract, whether assessable or where the time of payment is fixed in the contract, given for the premium on any policy of insurance, such company or association may serve a notice in writing upon the insured that his note, or an installment thereof, is due, or to become due, stating the amount which will be due on the note or contract, and also the amount required to pay the customary short rates, including the expense of taking the risk up to the time the policy will be suspended under the notice in order to cancel the policy, and that unless payment is made within thirty days his policy will be suspended. Such notice may be served either personally or by registered letter addressed to the assured, at his post-office address named in or on the policy, and no policy of insurance shall be suspended for nonpayment of such amount until thirty days after such notice has been served.

Notice, how served.

May cancel policy by paying short rates and costs.

SEC. 3. The assured may, at any time after the maturity of the note, contract or installment, pay to the insurance company or association the customary short rates, including the expense of taking the risk, and the cost of suit in case suit has been commenced or judgment rendered on the note or contract; and upon such payment, if he so elect, his said policy shall be canceled, and any note or contract, or any judgment rendered thereon, shall be canceled and shall be actually void, in whomsoever hands the same may be: *Provided*, that the assured may, at any time before cancellation of the policy, pay to the insurance company or association the full amount due upon any note or contract, and from the date of such payment the policy shall be revived, and shall be in full force and effect: *Provided*, such payment is made during the time stated in the policy, and before a loss occurs. *And Provided, further*, that where any insurance company or association shall bring suit upon such note or contract, and shall collect the same, from the date of such collection the policy shall be revived, and be in full force from the time of such collection: *Provided*, such collection is made during the time stated in the policy, and before a loss occurs. The provisions of this act shall apply to and govern all contracts and policies of insurance contemplated in this chapter, anything in the application or policy to the contrary notwithstanding.

*Provided*: on payment of full amount, policy revived.

*Provided*.

Approved, March 31, 1880.